

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PRECISION RX COMPOUNDING, LLC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:16-CV-0069 (CEJ)
	)	
EXPRESS SCRIPTS HOLDING COMPANY,	)	<b><u>MOTION TO EXTEND</u></b>
et al.,	)	<b><u>TIME IN WHICH TO OPPOSE</u></b>
	)	<b><u>DEFENDANTS' MOTION FOR</u></b>
Defendants.	)	<b><u>SUMMARY JUDGMENT</u></b>
	)	

I, Jonathan E. Levitt, of Frier & Levitt, LLC, do hereby certify as follows:

1. Plaintiffs submit this motion to extend the time in which to oppose Defendants' Motion for Summary Judgment by one-week to October 19, 2018.
2. This matter, filed on or about January 15, 2016, deals with highly complex subject matter.
3. This firm substituted into the matter approximately three-years after it was filed, and has been working in good faith to bring itself up to speed.
4. Defendants filed their Motion for Summary Judgment as to their Counterclaims on or about August 28, 2018.
5. Pursuant to the current Case Management Order ("CMO"), Plaintiffs' Opposition to the Motion for Summary Judgment is due today, October 12, 2018.
6. Plaintiffs require additional time to fully prepare and their opposition papers and, by way of this motion, seek a one-week extension to do so.
7. Plaintiffs requested consent from Defendants for said extension late in the afternoon today and have not yet heard back from Defendants' counsel in relation to same.

8. Plaintiffs respectfully submit that one additional week should not make a material difference in either Party's ability to prepare/submit pretrial submissions given that trial is not set to begin until January 2019.
9. For the foregoing reasons, we respectfully request that the CMO be modified such that Plaintiffs be granted leave to file their Opposition to Defendants' Motion for Summary Judgment by October 19, 2018, and moving Defendants' time in which to file a Reply to Opposition forward in appropriate measure.

Respectfully submitted,

By: /s/Jonathan E. Levitt  
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Dated: October 12, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2018, the foregoing document was electronically filed. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and service will effectuated in the same manner.

Respectfully submitted

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